

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION**

**LUCIA A. FRIAZ, ET AL.,**

**Plaintiffs,**

**v.**

**GULF COAST MARINE & ASSOCS.,  
INC., ET AL.,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§

**Civil Action No. 9:09-CV-162 (TJW)**

**DEFENDANTS' NOTICE OF FILING OF STIPULATION OF DISMISSAL  
IN COMPLIANCE WITH THE COURT'S ORDER OF APRIL 20, 2011**

COME NOW, Defendants Gulf Coast Marine & Associates, Inc., Halliburton Energy Services, Inc., f/k/a Halliburton Company, Schlumberger Technology Corporation, and Matthews Daniel Company (collectively, "Defendants"), and file this Notice of Filing of Stipulation of Dismissal in Compliance With the Court's Order of April 20, 2011 ("Notice").

On April 20, 2011, this Court conditionally granted the Defendants' Consolidated Motion to Dismiss for *Forum Non Conveniens*. (Docket Entry 118.) This dismissal was subject to a return jurisdiction clause that included the following conditions:

1. Defendants' agreement to appear and submit themselves to the jurisdiction of a Mexican federal or state court, waiving any jurisdictional defenses they might normally possess;
2. Defendants' agreement to waive any statute of limitations defense<sup>1</sup> that they did not possess as of the date this lawsuit was originally filed;
3. Defendants' agreement to submit to discovery in the Mexican forum in

---

<sup>1</sup> The Court's April 20 Order did not require that Defendants agree to waive any laches defense that they did not possess at the time the Plaintiffs originally filed this lawsuit with the Court. However, given that Defendants previously agreed to such a waiver in the case styled *Maria Santos Lopez Dominguez, et al. v. Gulf Coast Marine & Associates, Inc., et al.*, Cause No. 9:08 CV-200, in the United States District Court, Eastern District of Texas, Lufkin Division (*see* Docket Entry 142-2), they will make the same concession here.

accordance with the procedural rules of the Mexican court;

4. Defendants' agreement that they will make all relevant witnesses and documents available in Mexico to the extent consistent with Mexican law;
5. Defendants' agreement that they will make any employee witness available for trial in Mexico to the extent consistent with Mexican law.

The Defendants are filing the requested Stipulation, attached to this notice, assenting to these conditions in compliance with the Court's order.

WHEREFORE, the Defendants respectfully request that this Court accept the attached Stipulation and dismiss the Plaintiffs' case in accordance with the Court's Order of April 20, 2011.

Dated: April 29, 2011

Respectfully submitted,

/s/ Hugh E. Tanner

Hugh E. Tanner

Texas Bar No. 19637400

MORGAN, LEWIS & BOCKIUS LLP

1000 Louisiana St., Suite 4200

Houston, TX 77002-5006

Telephone: (713) 890-5000

Fax: (713) 890-5001

htanner@MorganLewis.com

ATTORNEY-IN-CHARGE FOR DEFENDANT  
SCHLUMBERGER TECHNOLOGY  
CORPORATION

/s/ Michael D. Williams\*

Michael D. Williams  
Texas Bar No. 21564330  
BROWN SIMS, P.C.  
1177 West Loop South, 10th Floor  
Houston, Texas 77027-9007  
Telephone: (713) 629-1580  
Facsimile: (713) 629-5027

ATTORNEY-IN-CHARGE FOR DEFENDANT  
GULF COAST MARINE & ASSOCIATES, INC.

/s/ R. Bruce Hurley\*

R. Bruce Hurley  
State Bar No. 10311400  
KING & SPALDING  
1100 Louisiana, Suite 3300  
Houston, Texas 77002-5219  
Telephone: 713.751.3200  
Fax: 713.751.3290

ATTORNEY-IN-CHARGE FOR DEFENDANT  
HALLIBURTON ENERGY SERVICES, INC.  
F/K/A HALLIBURTON CO.

/s/ Mark C. Clemer\*

Mark C. Clemer  
Texas Bar No. 04372300  
Brown Sims, P.C.  
1177 West Loop South, Tenth Floor  
Houston, Texas 77027  
[t] 713-629-1590  
[f] 713-629-5027  
mclemer@brownsims.com

ATTORNEY-IN-CHARGE FOR DEFENDANT  
MATTHEWS DANIEL COMPANY

\*Signed by Hugh E. Tanner with express permission.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of April, 2011, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Hugh E. Tanner  
Hugh E. Tanner